

ORDINANCE NO. 49-005

AN ORDINANCE CHANGING THE ZONING CLASSIFICATIONS OR DISTRICTS OF CERTAIN LANDS LOCATED IN THE CITY OF WICHITA, KANSAS, UNDER THE AUTHORITY GRANTED BY THE WICHITA-SEDGWICK COUNTY UNIFIED ZONING CODE, SECTION V-C, AS ADOPTED BY SECTION 28.04.010, AS AMENDED.

BE IT ORDAINED BY THE GOVERNING BODY
OF THE CITY OF WICHITA, KANSAS.

SECTION 1. That having received a recommendation from the Planning Commission, and proper notice having been given and hearing held as provided by law and under authority and subject to the provisions of The Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by Section 28.04.010, as amended, the zoning classification or districts of the lands legally described hereby are changed as follows:

Case No. ZON2010-00002

Zone change request from SF-5 Single-Family Residential ("SF-5") to NO Neighborhood Office ("NO"), with a PO Protective Overlay on properties described as:

Lots 1, 2, 3 and 4, Block 3, Brookhaven Estates Addition

SUBJECT TO THE FOLLOWING PROVISIONS OF PROTECTIVE OVERLAY DISTRICT #250:

- A. In addition to those uses permitted by right in the SF-5 district, only the following NO uses are permitted: Office, General and Medical Service.
- B. Signage shall be per the sign code except ground or pole signage shall be monument style; building signage shall not face to the north or west and there shall not be any ground or pole signage located along Lancaster. Also prohibited are: portable signs, temporary signs, electronic message signs, animated signs, advertising decorations (streamer, string pennant and pinwheel type signs), banner signs, commercial balloon signs and moving, flashing or rotating signs.
- C. Complete access control along Lancaster shall be dedicated prior to the issuance of occupancy permits except that single-family uses can have access to Lancaster. Prior to the issuance of occupancy permits, access control as requested by the appropriate engineer shall be dedicated along 159th Street and Central Avenue. Prior to the issuance of building permits, additional right-of-way along Central and 159th Street shall be dedicated that is sufficient to meet adopted intersection standards.
- D. Buildings constructed on the site shall share similar architectural features, such as exterior color, exterior façade materials and roof styles. Exterior building facades facing a street shall be of materials and colors similar to those found in the adjoining neighborhood, such brick or stone. Roof styles shall be hip or gable (no flat or parapet roofs are permitted).
- E. Uniform parking lot lighting standards and fixtures shall be installed. Light sources located on the application area shall comply with UZC standards such as Sec. IV-B.4.
- F. Maximum building height shall be twenty-five feet.
- G. No exterior speaker or amplified voice systems are permitted.
- H. Landscaping that is one and one-half times required by the Landscape Ordinance shall be installed along Lancaster.
- I. At the time Office, General or Medical Service uses are developed, a masonry wall at least six feet tall shall be installed along the northern property line of the application area.

SECTION 2. That upon the taking effect of this Ordinance, the above zoning changes shall be entered and shown on the "Official Zoning Map" previously adopted by reference, and said official zoning map is hereby reincorporated as a part of the Wichita-Sedgwick County Unified Zoning Code as amended.

SECTION 3. That this Ordinance shall take effect and be in force from and after its adoption and publication in the official City paper.

ADOPTED this 17th day of May, 2011.

ATTEST:

Karen Sublett, City Clerk

Carl Brewer, Mayor

(SEAL)

Approved as to form:

Gary E. Rebenstorf, Director of Law